

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: THOMAS TAYLOR PEARCE
JENIFER MARIE PEARCE
AKA: JENIFER MARIE EMKEY, JENIFER CHAPTER 13
MARIE MILLER

Debtor(s)

CASE NO: 1-23-01995-HWV

JACK N. ZAHAROPOULOS
CHAPTER 13 TRUSTEE
Movant

vs.
THOMAS TAYLOR PEARCE
JENIFER MARIE PEARCE
AKA: JENIFER MARIE EMKEY, JENIFER
MARIE MILLER

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE
FOR FAILURE TO OBTAIN CREDIT COUNSELING**

AND NOW, on September 27, 2023, Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, through his attorney, Douglas R. Roeder, and moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on September 5, 2023.
- 2) The Debtor(s) did not comply with the credit counseling requirements of 11 U.S.C. Sections 109(h) and 521(b) and therefore do not qualify as a debtor under the Bankruptcy Code.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Dated: September 27, 2023

Respectfully submitted,

/s/ Douglas R. Roeder, Esquire

Id: 80016

Attorney for Trustee

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

Suite A, 8125 Adams Drive

Hummelstown, PA 17036

Phone: (717) 566-6097

email: droeder@pamd13trustee.com

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CHAPTER 13

CASE NO: 1-23-01995-HWV

Debtor(s)

NOTICE

NOTICE IS HEREBY GIVEN that Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss. The Debtor(s) did not comply with the credit counseling requirements of 11U.S.C. Sections 109(h) and 521(b) and therefore do not qualify as a debtor under the Bankruptcy Code.

If you wish to contest this matter, you must file an objection with the Bankruptcy Clerk on or before October 18, 2023 and serve a copy on the movant and counsel. Any filing must conform to the Rules of Bankruptcy Procedure.

If no objections are filed, an order may be entered dismissing the case.

Dated: September 27, 2023

Respectfully submitted,

/s/ Douglas R. Roeder, Esquire

Id: 80016

Attorney for Trustee

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

Suite A, 8125 Adams Drive

Hummelstown, PA 17036

Phone: (717) 566-6097

email: info@pamd13trustee.com

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In Re: THOMAS TAYLOR PEARCE
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CHAPTER 13

CASE NO: 1-23-01995-HWV

Debtor(s)

CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on September 27, 2023, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties from Hummelstown, PA, unless served electronically.

Served Electronically

UNITED STATES TRUSTEE
1501 NORTH 6TH STREET
BOX 302
HARRISBURG, PA 17102

Served by First Class Mail
THOMAS TAYLOR PEARCE
JENIFER MARIE PEARCE
878 JOY DR
GREENCASTLE, PA 17225

I certify under penalty of perjury that the foregoing is true and correct.

Date: September 27, 2023

/s/ Vickie Williams
Office of the Standing Chapter 13 Trustee
Jack N. Zaharopoulos
Suite A, 8125 Adams Dr.
Hummelstown, PA 17036
Phone: (717) 566-6097
email: info@pamd13trustee.com

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CHAPTER 13

Debtor(s)

JACK N. ZAHAROPOULOS
CHAPTER 13 TRUSTEE
Movant

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Respondent(s)

ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED. The Court retains jurisdiction to rule on any timely filed fee application.